

**FY11 SECTION 106 WORKPLAN
REGION 4 Florida**

Draft or Final (Underline one)

Date of latest workplan revision: 4/27/10

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Goal 2 - Clean and Safe Water

Goal 5 - Compliance and Environmental Stewardship

Task #	106 Workplan Task Description	Basis for 106 Workplan Task	Output/Outcome	Date Due	End-of-Year State Report/State Comments
					(Indicate whether task has been met by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)

Watershed Protection Element

1	Watershed Protection: The State commits, as appropriate and as resources allow, to direct 106 funded program activities to support development and implementation of Basin Management Action Plans (BMAPs) to result in water quality improvements and restoration.	EPA Strategic Plan: Protect Human Health (Objective 2.1) and Water Quality (2.2). Improve Water Quality on a Watershed Basis (2.2.1 – Measures SP-10, 11, 12)	Output: Report from State on activities and efforts to develop and implement BMAPs. Assist EPA to identify SP-10, SP-11, and SP-12 accomplishments in Florida. Outcome: Implementation of BMAPs will result in water quality improvements	12/31/11	

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Date of latest workplan revision:

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States are or will be transitioning, may or may not occur this FY, from the Permit Compliance System (PCS) to the Integrated Compliance Information System-National Pollutant Discharge Elimination System (ICIS-NPDES). For purposes of this and future 106 Workplans (as stated in the EPA/ State MOA), PCS has been replaced with ICIS-NPDES. Another change in this 106 Workplan will be the possible transition from Water Enforcement National Data Base (WENDB) data elements to Requisite ICIS Data Elements (RIDE).

1.a.	Conduct a sufficient number of inspections each quarter, based on the FY (), All inspections must be entered into ICIS-NPDES to count toward the State's commitment.	40 C.F.R. § 123.26, National Priorities, Goal 5 of the Strategic Plan	Conduct inspections/audits	10/01/-09/30/	Goal 5 of the Strategic Plan is entitled, "Compliance and Environmental Stewardship"; 5.1.3--requires the number of State inspections at NPDES major facilities.	
	. 20% of the minor facility universe Identify minor facilities on 303(d) or 305(b) list: to 303(d) or 305(b) listed waters					
	Universe of General permitted					

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	facilities: Total General Facility inspections: 15% of the Generic Permit Universe <u>Concentrated Animal Feeding Operation Facilities (CAFO):</u> Large and Medium Permitted CAFOs 1/5 years: Universe of Large/Medium Permitted CAFO Facilities: Large/Medium NPDES CAFO Inspections: Large Unpermitted CAFOs within 5 years: Universe of Large Unpermitted		0			<i>(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)</i>

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	CAFO Facilities: Large Unpermitted CAFO inspections: Medium Unpermitted CAFOs shall be assessed one time initially. Universe of Medium Unpermitted CAFO Facilities: 0 Medium Unpermitted CAFO inspections: Small Animal Feeding Operations (AFOs) on an as needed basis, based upon complaints. Universe of AFO facilities: PDES Stormwater (SW) Facilities/Activities:					

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	MS4s Audits/Inspections: Audits are comprehensive reviews to evaluate overall program implementation and involve record review, personnel interviews as well as field over-sight. Inspections involve review of some, not all, program elements. The MS4 inspection involves a review of a limited subset of MS4 control permit elements or an inspection of an individual site within the MS4's jurisdiction to determine if the control authority has an adequate inspection program (MS4 oversight inspection).		6 Phase I MS4 Audits Phase I MS4 inspections as needed Phase II MS4 Audits Phase II MS4 inspections as needed Industrial SW inspections			
	Phase I MS4 Audits = 20% of the permitted universe 27 Phase I with co-permittees					

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	<u>Phase I MS4 Inspections: on an as needed basis</u> <u>Phase II MS4 Audits & Inspections: once/7 years from issuance of EPA's Guidance dated 10/17/07</u> <u>Phase II MS4 Audits = 15% of the permitted universe</u> <u>Phase II MS4 Inspections = as needed</u> Industrial SW: 10% of the permitted universe/year SW Construction is a joint EPA/State goal: Construction: 10% of the new NOLs received for		Phase I Construction SW inspections Phase II Construction SW inspections			

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	Phase I (large) sites/year 5% of the new NOIs received for Phase II (small) sites/year					(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
	SSO Inspections: Major Facilities = 1/3 years Major SSO Inspections = Minor Facilities = 1/5 years Minor SSO Inspections =					
1.b.	Prepare and submit a Compliance Monitoring Strategy (Inspection Plan in MOA) for FY12 (10/01/11-09/30/12). This Strategy shall be consistent with EPA guidance dated October 17, 2007. In this Strategy, the State should any compliance or enforcement topics	40 C.F.R. § 123.26, National Priorities, EPA Memorandum dated October 17, 2007, and Goal 5 of the				In the event FDEP determine that budget constraints will limit inspections, the following percentages will be completed that year: Industrial: 8% of the permitted universe/year

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	or concerns developed as a part of the State's Priority Watershed Initiatives.	Strategic Plan				(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
						Construction: 8% of the NOLs received for Phase
1.c.	<u>Whole Effluent Toxicity (WET):</u> The State shall have the ability to conduct biomonitoring inspections, have a designated contractor conduct inspections, or have an equivalent program to independently verify a discharger's compliance with WET permit requirements. The State shall describe their approach in the Strategy for FY11.		Submit draft of approach with draft inspection plan. Finalize and submit final	07/1/11 09/15/11		2% of the new NOLs received for Phase II sites/year

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	Reporting/Enforcement					
2.	Submit the Quarterly Noncompliance Report (QNCR). Provide brief written annotations denoting compliance/ enforcement status when a QNCR-listed permittee is determined to be in Significant Noncompliance (SNC) for 2 or more quarters by ICIS-NPDES. *Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.	40 C.F.R. § 123.45 and	Submit annotated QNCR. Execute and submit copies of draft and final enforcement actions, as requested.	11/30/* 02/28/* 05/31/* 08/31/*	Goal 2.2.1 of the Strategic Plan is entitled "Improve Water Quality on a Watershed Basis"; WQ-1.5.b. requires report the number and percent of major dischargers in SNC discharging pollutants of concern on impaired waters.	

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3.	The Facilities Watch List (FWL) will be provided to the State on a quarterly basis. Within 15 days of , the State shall execute a formal enforcement action, refer the facility to EPA for enforcement, or provide a written explanation of either why no formal action is appropriate or the type of formal action being taken, with a projected date of action.		Submit written FWL explanation or refer to EPA. Execute and submit copies of draft and final enforcement actions, as requested.	11/15/* 02/15/* 05/15/* 08/15/*	Goal 2.2.1 of the Strategic Plan is entitled "Improve Water Quality on a Watershed Basis"; WQ-15.b. requiresreport the number and percent of major dischargers in SNC discharging pollutants of concern on impaired waters.	(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
4.	Submit Semi-annual Statistical Summary Report (SSSR) containing information concerning the number of major dischargers with 2 or more violations of the same monthly average limitation within a 6 month	40 C.F.R. § 123.45(b)	Submit report	02/28/ 08/31/	EPA will generate a draft SSSR and provide the draft to the State for review and submission.	

* Due date may vary depending on the generation and state notification date.

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	period. <i>* Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.</i>					(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
5.	Submit Annual Noncompliance Report (ANCR) containing information concerning the number of non-major dischargers in noncompliance. <i>* Dates dependent upon PCS or ICIS-NPDES operations; regulatory dates are noted.</i>	40 C.F.R. § 123.45(c)	Submit report	02/28/		
6.	Submit State Judicial Actions Report.	40 C.F.R. § 123.27	Submit report	11/30/10 02/28/ 05/31/ 08/31/	The State Judicial Actions Report is a summary of judicial actions and should include the following: name of entity w/NPDES number; summary of violations;	

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					injunctive relief w/ final compliance date; and penalty assessed and paid.	
7.	Upon request by EPA, submit copies of Inspection Reports in either hard or electronic form.	Regional Priorities	Submit requested copies of inspection reports.			
8.	Upon request by EPA, submit hard or electronic copies of enforcement actions.	Regional Priorities	Submit requested copies of actions.			
9.a		40 C.F.R. § 122.23 and National Priorities		12/31/		

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9.b.	Submit a list of CAFO facilities without permits and indicate if a completed application or a Notice of Intent has been received.	40 C.F.R. § 122.23 and National Priorities	Submit list	12/31/		
9.c.	Submit hard or electronic copies of all CAFOs/AFOs enforcement actions.	40 C.F.R. § 122.23 and National Priorities	Submit quarterly	12/31/10 03/31/11 06/30/11 09/30/11		
10.		Regional Priority	Schedule with staff.			
	Data Management –Requirements apply to <u>all</u> NPDES Dischargers, unless otherwise specified.					

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11.	Enter and maintain data in ICIS-NPDES for all WENDB or RIDE data elements.	National Policy	Enter data ICIS-NPDES.	Enter within 15 days after the fact, except as specified elsewhere.		(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
12.	Enter and maintain current effluent limits and monitoring requirements in ICIS-NPDES for all major dischargers.	National Policy	Enter data into ICIS-NPDES.	30 days after the effective date of the permit		
1.	Maintain DMR entry rate of at least 95%.	National Policy	Enter data into ICIS-NPDES.	Enter within 58 days after the end of each monitoring period.		

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1.	Enter inspection data for all NPDES program areas into ICIS-NPDES.	National Policy	Enter data ICIS-NPDES.	Enter the permit number, the name of the facility, the date of the inspection and inspection type within days of completion of the inspection report, but no later than 45 days from the date of the inspection.		

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				All other information (single event violations) must be entered within 90 days of inspection so that all information is entered into ICIS-NPDES no later than 12/31/ for FY.		(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)

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1.	Enter and maintain data in ICIS-NPDES for all formal and informal enforcement actions, including penalties assessed and collected.	National Policy	Enter data into ICIS-NPDES.	Enter data within 30 days of issuance of the enforcement action and penalties collected within 30 days of date of collection.		(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
1.	Enter and maintain NPDES compliance and enforcement schedule data in ICIS-NPDES.	National Policy	Enter data into ICIS-NPDES.	Enter within 30 days of issuance.		

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1.	Enter completion of schedule milestones.	National Policy	Enter data into ICIS-NPDES.	Enter within 30 days of notification of completion.		(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
1.	If storm water permit/enforcement information is not in ICIS-NPDES, submit a report containing: number of facilities inspected, number and type of action taken, and number of permitted facilities.	National Priority	Submit report.	11/30/ 02/28/ 05/31/ 08/30/		
	Pretreatment Facilities					
a.	A Publically Owned Treatment Works (POTW) Pretreatment (PT) Program Inspection/Audit Schedule for the next inspection year will be submitted electronically to the EPA,	40 C.F.R. § 403	Submit schedule.	08/31/	Region 4 has adopted the new OECA minim requirement that at least two IUs be subject to oversight inspections during each Pretreatment Audit.	

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	Region 4 Pretreatment Coordinator (PTC). If subsequent changes to the schedule occur, they shall be submitted electronically with an explanation.					
	For the Industrial PT Program, at least 20% of fully-approved active POTW PT Programs shall receive PT Audits by the end of FY (10/01/10-09/30/), so that all Programs are audited within 5 years, and at least 80% of fully-approved active POTW PT Programs will receive inspections by the end of FY. During each audit, assessment of the POTW's inspection procedures will be made by oversight inspection of at least	Including information in the Quarterly Report (QR). Enter data into ICIS-NPDES.				

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	industrial users discharging to the POTW.					(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)
.b.	For the Industrial PT Program, track the submission of POTW reports made per 40 C.F.R. § 403.12(i) and review 100% of all submissions to determine if appropriate permitting and enforcement of Significant Industrial users (SIUs) is accomplished by POTWs.	40 C.F.R. § 403	100% reports reviewed and entered into ICIS-NPDES.	As reports are reviewed.		
2.	Conduct a sufficient number of inspection/audits each quarter based on the FY Plan to assure inspection commitments are met.	40 C.F.R. § § 123.26, 403, and Goal 5 of the Strategic Plan	Conduct /audits. Enter inspection information into ICIS- NPDES.	10/01/- 09/30/ Enter the number, the name of the	Goal 5 of the Strategic Plan is entitled "Compliance and Environmental Stewardship; CWA05 requires reporting the number of federal and state inspections of POTWs w/approved pretreatment programs.	

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				facility, the date of the inspection, and inspection type within 15 days of completion of the inspection report, but no later than 45 days from the date of the inspection. All other inspection information must be		

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EPA Technical Point of Contact: Alenda Johnson
 EPA Project Officer:
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Date of latest workplan revision:

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Goal 2 - Clean and Safe Water

Goal 5 – Compliance and Environmental Stewardship

TASK No.	106 Workplan Task Description	Basis for 106 Workplan Task	Output/Outcome	Due Date	EPA Comments	End-of-Year State Report/State Comments <i>(Indicate whether task has been completed by writing the date the task was completed. If the task is not completed, provide an explanation for any delays or issues encountered.)</i>
				entered within 90 days of the inspection so that all information is entered into ICIS-NPDES no later than 12/31/.		
2.	For the Industrial PT Program, copies of enforcement actions will be provided upon request by the EPA, Region 4 PTC.	40 C.F.R. § 403	Submit copies of enforcement actions.	Upon request.		
2.	For the Industrial PT Program, submit a quarterly report (QR)	40 C.F.R. § 403 and Goal 2.2.1	Submit complete reports on time	11/30/ (for period	Goal 2.2.1 and 5 of the Strategic Plan requires	

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	electronically to the EPA, Region 4 PTC. The QR will provide the total number of SIUs permitted by active approved POTW PT Programs as of the end of the quarter and POTWs in reportable non-compliance (RNC) and SNC. For RNC/SNC, the criteria met for each designation will be delineated, and a description of the enforcement history, present actions, and dates that non-compliance was resolved or is expected to be resolved will be provided.	and Goal 5 of the Strategic Plan	and the list with the first report.	7/-9/) 2/28/ (for period 10/-12/) 5/31/ (for period 1/-3/) 08/31/ (for period 4/-6/) 11/30/ (for period 7/-9/)	reporting the number of SIUs, the number of inspections and the number of audits of approved PT programs.	(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)

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	Policy, Strategy & Management					
2.	Submit EMS revisions.	Regional Priority	Submit Revised EMS	As necessary		
2.	Provide assistance on National Wet Weather Enforcement Strategy Implementation. EPA's wet weather priorities are: CSOs, SSOs, storm water, and CAFOs. EPA must inspections and enforcement in these priority areas. The States are requested to partner with EPA in the initiatives and assist EPA in reaching our goals.	Goal 5 of the Strategic Plan	EPA/State to conduct inspections; EPA to implement enforcement.	As initiatives are conducted.	Goal 5 of the Strategic Plan is entitled, "Compliance and Enforcement Stewardship"; PBSCAFO02 requires the number of CAFO federal inspections; PBSCAFO04 requires the number of EPA & State joint inspections; PBSSSO01 requires reporting the number of large municipal authorities (total treatment capacity > 100 mgd) and their associated satellite municipal collection systems addressed; PBSSSO05 requires reporting	

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					the number of medium municipal authorities (total treatment capacity > 10 mgd < 100 mgd) and their associated satellite municipal collection systems addressed; PBSSW08 requires reporting the number of inspections at homebuilders; PBSSW09 requires reporting the number of big box store inspections; PBSSW10 requires reporting the number of inspections of ready-mix concrete facilities; PBSSW11 requires reporting the number of Audits of Phase I MS4s, ports, road building operations, and federal facility construction sites.	(Indicate whether task has been completed. If the task is not completed, provide an explanation for any delays or issues encountered.)

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